

Message Text

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TO DOD

C O N F I D E N T I A L STATE 161420

FOLLOWING REPEAT STATE 61420 ACTION VIENTIANE INFO BANGKOK

DATED 9 JUL 75

QUOTE

C O N F I D E N T I A L STATE 161420

AIDAC

E.O. 11652: GDS

TAGS:

SUBJECT: RAL EMPLOYEE DEMANDS

REFERENCES: A) VIENTIANE 4698 B) VIENTIANE 4639

1. WE HAVE REVIEWED DUPLICATE COPY OF USAID/LAOS
CONTRACT WITH RAL FOR GROUND SUPPORT SERVICES
UNDER WHICH PROVISION IS MADE PER REF. A FOR
QUOTE USAID TO REIMBURSE THE COST OF SEPARATION
BENEFITS WHICH THE CONTRACTOR MAY BE REQUIRED
TO PAY TO TERMINATE EMPLOYEES PURSUANT TO LAO
LABOR LAW AND REGULATIONS. END QUOTE.

2. UNDER CONTRACT TERMS EMPLOYEES MUST DEAL
DIRECTLY WITH RAL WHICH MAY THEN REQUEST
REIMBURSEMENT FROM AID FOR SEVERANCE PAY
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CONSISTENT WITH LAO LABOR LAW. ANY EMPLOYEE

QUALIFYING FOR SEVERANCE PAY MUST BE CERTIFIED AS SEVERED AND FINAL SETTLEMENT SHOULD BE BASED UPON HIS LENGTH OF SERVICE AND OTHER FACTORS APPLICABLE UNDER LAO LABOR LAW AS EMBASSY ADMINISTRATIVE PERSONNEL AWARE.

3. AMOUNT OF SEVERANCE PAY RAL WISHES TO PROVIDE

ITS EMPLOYEES IS FOR RAL TO DECIDE. AID WILL REIMBURSE RAL FOR SEVERANCE PAYMENTS WHICH AID IS OBLIGED UNDER CONTRACT TO DEFRAY. AID WILL NOT AUTHORIZE REIMBURSEMENT IN EXCESS OF THAT WHICH CONTRACT REQUIRES IT TO PROVIDE. THUS, REIMBURSEMENT FOR PAYMENTS STRICTLY COMPARABLE TO SETTLEMENT WITH USAID EMPLOYEES AND OB CONTRACT EMPLOYEES WILL NOT BE MADE.

4. WE UNDERSTAND THAT CONTRACTS AND FINANCIAL RECORDS FOR RAL AND OTHER LOCAL CONTRACTS WERE LEFT WITH JOHN LEECH BY USAID/OFIN AND MAY BE CONSULTED TO DETERMINE REMAINING FUNDS IN CONTRACT AVAILABLE TO COVER LEGAL SEVERANCE PAYMENT. ASSUME NECESSARY DOLLAR CONVERSIONS STILL REQUIRED AT 750 RATE RATHER THAN FREE MARKET RATE.

5. IN GENERAL, GROUND SUPPORT PERSONNEL IN VIENTIANE WERE COVERED UNDER AID CONTRACT WHILE SUPPORT PERSONNEL AT PROVINCIAL AIRPORTS WERE UNDER DAO CONTRACT. ASSUME FUNDING UNDER THE SEPARATE CONTRACTS BEING WORKED OUT IN VIENTIANE IN ORDER TO DETERMINE SPLIT BETWEEN USAID AND DOD COSTS.

6. REQUEST YOU PROVIDE PRECISE BASIS RAL CALCULATIONS FOR SEVERANCE PAYMENTS WITH YOUR ANALYSIS IN ORDER WE MAY DETERMINE WHAT FUNDS MAY BE LEGALLY AUTHORIZED FOR CONTRACT COSTS. INGERSOLL UNQUOTE
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